

MILLER HALLOWS.

MAY 25, 1842.

Read, and laid upon the table.

Mr. COWEN, from the Committee of Claims, made the following

REPORT :

*The Committee of Claims, to which was referred the petition of Miller Hallows, report :*

That the petitioner represents that he resided on his plantation, called New Switzerland, situated on the eastern bank of the St. John's river, and county of St. John's, East Florida, at the commencement of the Indian war, in 1835 ; and that he continued to reside on said plantation (with the exception of six weeks, which he spent at Picolata, as a place of safety, in the months of January and February of the year 1836, as the Indians at that time had overspread the country, after the battle of Waithlacoochee) until the 16th day of July, 1836, when his plantation was attacked by a considerable body of Indians, from 25 to 30 in number ; and that the petitioner, with a friend and neighbor, the only white persons living on the plantation, were driven off, and escaped in a boat very narrowly with their lives, but not until after the petitioner had been wounded in the head by a rifle shot. The Indians, having gained possession of the plantation, commenced their work of destruction—burning the dwelling house and other buildings near it, with their contents, with the exception of such articles as they chose to appropriate to themselves, and carry off in the way of plunder, and then laid waste every thing in their way. From that time to the present, the petitioner alleges he has not been able to return to his home, with any prospect of safety, to reside or cultivate his plantation. For these losses and sufferings he claims indemnity of the United States.

The plantation, afterwards, was occupied by a sergeant's guard as a military post, by order of General Joseph M. Hernandez, (then in command of a brigade of Florida militia,) for the protection of the inhabitants of that neighborhood.

The facts herein set forth are clearly established by the evidence of said Hernandez and other officers and citizens of that section of the country, and leaves no doubt on the minds of the members of the committee as to the extent of sufferings and losses of the petitioner from the ruthless and savage warfare carried on by the Indians in that unfortunate and devoted section of our country ; and although calculated to call forth the strongest sympathies of our nature, yet, when viewed by the committee as the basis of a claim on Government for pecuniary relief, they are bound by the ob-

ligations of duty to declare the claim inadmissible. No damages sustained by our citizens from Indian depredations, it is believed, have ever been responded to by the Government in the way of indemnity, although pressed upon the attention of the committees of both Houses, at different periods and under various circumstances, both by individuals and the Legislatures of some of the sovereign States of this Union, calculated to excite the deepest sympathy for the sufferers. (See Rep. Com. No. 1001, 2d sess. 25th Congress.) The committee therefore recommend to the House for adoption the following resolution :

*Resolved*, That the petitioner is not entitled to relief.